GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:2689
ANSWERED ON:18.03.2008
MANUFACTURE OF PATENTED DRUGS
Adhalrao Patil Shri Shivaji;Adsul Shri Anandrao Vithoba;Verma Shri Ravi Prakash

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether the Union Government proposes to allow drug companies to manufacture patented medicines for export to underdeveloped countries;

(b) if so, the details thereof; and

(c) the time by when a final decision is likely to be taken in this regard?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY(SHRI ASHWANI KUMAR)

(a) to (c): Section 92 A of the Patents Act, 1970 contains enabling provisions for issue of compulsory licence for manufacture and export of patented pharmaceutical products to any country having insufficient or no manufacturing capacity in the pharmaceutical sector for the concerned product to address public health problems, provided compulsory licence has been granted by such country or such country has, by notification or otherwise, allowed importation of the patented pharmaceutical products from India. Each proposal is to be decided on merits.